

TAB 4

ART RENTALS, LLC

AN-2012-02

PA-2012-02

Z-2012-03

Staff Report
Annexation, Small Scale Plan Amendment and Rezoning
AN/PA 2012-02 & Z 2012-03
529 20th Street W
Art Rentals, LLC

REQUEST:

- **To annex a 0.7 acre parcel located at the south side of 20th Street W, west of Bayshore Road into the City of Palmetto;**
- **To change the Plan category of the annexed parcel from County designation RES-9 to City designation RES-10;**
- **To rezone the parcel from GC in the County to RM-5 in the City.**

OWNERS: Art Rentals, LLC

ADDRESS: 529 20st Street W

LEGAL DESCRIPTION: Lots 8, 15-17, Block 5, Orange Park Subdivision

PARCEL NUMBER/SIZE OF SUBJECT PROPERTY/DENSITY

PID # 2433400005/0.7 acres (per Property Appraiser's)/11.4 du/ac

PLAN/ZONING/EXISTING USE OF SUBJECT PROPERTIES

County Parcel: RES-9 (Residential-9)/GC (General Commercial)/4 residential duplexes (8 units)

PLAN/ZONING/EXISTING USES OF SURROUNDING AREA

North: County RES-9/GC/single & multi-family residential

South: City GCOM/CG/multi-family residential and commercial (vacant mini-storage)

East: County GCOM/CG/VOA (3 duplexes) & vacant SF residential

West: County RES-9/GC/ single-family residential

BACKGROUND

The subject property is located west of Bayshore Road on the south side of 20th Street W and is part of a pocket of unincorporated Manatee County that extends westward from Bayshore Road to 8th Avenue. This pocket is comprised of a 6-block residential area bounded by 19th Street W on the south, 21st Street W on the north, US 41/8th Avenue W on the west and Bayshore Road on the east.

The predominant land uses within this pocket are duplex and multi-family uses speckled with single-family uses which for the most part, are located in the unincorporated county, designated RES-9 and zoned for general commercial uses such as offices and retail on the east side and single family residential on the west side. The County's GC zoning permits single family detached and duplex dwelling with limitations but does not permit triplex and quadruplex dwellings.

The subject property is bordered by unincorporated County on all sides except the south side where it abuts a vacant mini storage facility (Schott) in the City. Uses immediately surrounding the subject property are multi-family residential to the north; single-family residential and duplexes (VOA) to the east and single-family residential to the west.

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Annexation & Plan Amendment 2012-02, Rezoning 2012-03

529 20th St. W

November 2012

This proposal was taken to a Staff Development Review meeting on September 25, 2012 where no concerns were noted.

COMPREHENSIVE PLAN ANALYSIS

This report covers 3 separate requests and public hearing items:

(1) the annexation of 0.7 acres into the City; (2) a small scale plan amendment of 0.7 acres from County RES-9 to City RES-10; and (3) the rezoning from County GC to City RM-5.

1. Annexation

The primary goal of the annexation application is to be able to hook up to City utilities to serve the existing 4 duplexes.

The proposed annexation is consistent with Objective 1.12 of the Future Land Use Plan and the following Plan policy:

Policy 1.12.1: The City shall balance the benefits of future annexations, i.e. to promote the orderly growth of the City with its ability to fulfill other established plans for the City.

The subject property is included in the Urban Development Zone address list with the justification that the Orange Park area is mostly developed and therefore, annexation is not likely unless residents request the City to provide sewer service. To this extent, the proposed annexation is also consistent with the Accord adopted by the City Commission on April 15, 2002. The proposed annexation does not create an enclave.

2. Plan Amendment

The proposed plan amendment from County RES-9 to City RES-10 meets the requirements of a small scale plan amendment pursuant to Section 18 of Section 163.3187, Florida Statutes in that it is less than 10 acres and does not exceed 120 acres in a calendar year, does not involve a text change and is not located within an area of critical state concern. The change from RES-9 to RES-10 is a comparable change in plan categories between the County's and City's Plans. They both permit consideration of general commercial uses, office and residential uses. In addition, an earlier plan amendment to RES-10 was approved for Sunnydale on the north side of 20th Street W which was also granted a Conditional Use Permit for farm worker housing. The proposed RES-10 plan category is consistent with the City's plan categories in the area as well as the Palmetto 2030 Comprehensive Plan.

The proposed plan amendment is consistent with the following Plan policy which encourages infill development for affordable housing:

Policy 3.6.8: The City may consider plan amendment requests for additional residential acreage (consistent with the Future Land Use Element) when and where substantiated by residential growth trends and need for affordable housing.

3. Rezoning

The purpose of the proposed rezoning from General Commercial (County) to RM-5 is to recognize the existing duplex units on the subject property. The proposed RM-5 zoning is also consistent with the existing development in the area including multi-family to the north and new duplex

development to the east. The proposed rezoning from commercial to residential is consistent with the following Plan policy which promotes a supply of reasonably priced residential land.

Policy 3.6.9: The City may consider rezoning of non-residential land to residential use if it is compatible with surrounding areas in order to promote reasonably priced supply of residential land.

Infrastructure

The City of Palmetto has adequate capacity for water and sanitary sewer, and there is availability of reclaimed water at this location. The subject property is located in Flood Zone category C. Policy 4.1.5 of the Sanitary Sewer Element of the City's 2030 Comprehensive Plan below speaks to service outside the City limits and Section 29-10 of the City Code of Ordinances requires either annexation or an annexation agreement.

Policy 4.1.5: The City's current service area boundaries may be extended to provide needed sewer service beyond the present City limits. If the property is not contiguous to the City when service is provided, then the property owner shall enter into an Annexation Agreement with the City that is binding on future property owners to annex into Palmetto when contiguous.

Sec. 29-10. - Annexation and inspection of premises outside city.

In order to protect the city's ability to serve its residents and supply its customers, the city shall not connect or reconnect any water or sewer taps outside the city limits until the premises involved has been either annexed into the city or is the subject of a valid and binding annexation agreement as provided in this chapter, and has been inspected and approved by the city.

The most recent annexation request in this area was for Volunteers of America of Florida located at 409 20th Street W. The City Commission denied the annexation application but adopted Ordinance 2012-13 on July 2, 2102, amending Section 29-7(d) to allow utilities to be extended outside the City limits for parcels owned by not-for-profits if it is in the best interest of the City

Traffic

The proposed project has access onto 20th Street W, a local road which connects to Bayshore Road, a two lane roadway functioning as a collector road between US 41 to 17th Street W which is operating at an acceptable level of service. The proposal is not expected to negatively impact vehicular or pedestrian traffic conditions in this area. Abutting 20th Street W is a common access point and parking area containing the required parking spaces.

STAFF RECOMMENDATION:

The proposed applications are intended to recognize an existing duplex development in a residential area located on the north side of the City. The existing project density is 11.4 du/ac which exceeds the proposed RES-10 plan category.

Staff recommends APPROVAL of the annexation, small scale plan amendment to RES-10 and rezoning to RM-5.

PLANNING AND ZONING BOARD RECOMMENDATION

The Planning and Zoning Board shall recommend APPROVAL, APPROVAL WITH CONDITIONS or DENIAL the proposed items:

1. Annexation a 0.7 acre parcel located at the south side of 20th Street W. west of Bayshore Road into the City of Palmetto;
2. Small scale Plan amendment from County designation RES-9 to City designation RES-10;
3. Rezoning from GC in the County to RM-5 in the City;

CITY COMMISSION ACTION

The City Commission shall APPROVE, APPROVE WITH CONDITIONS or DENY the proposed items:

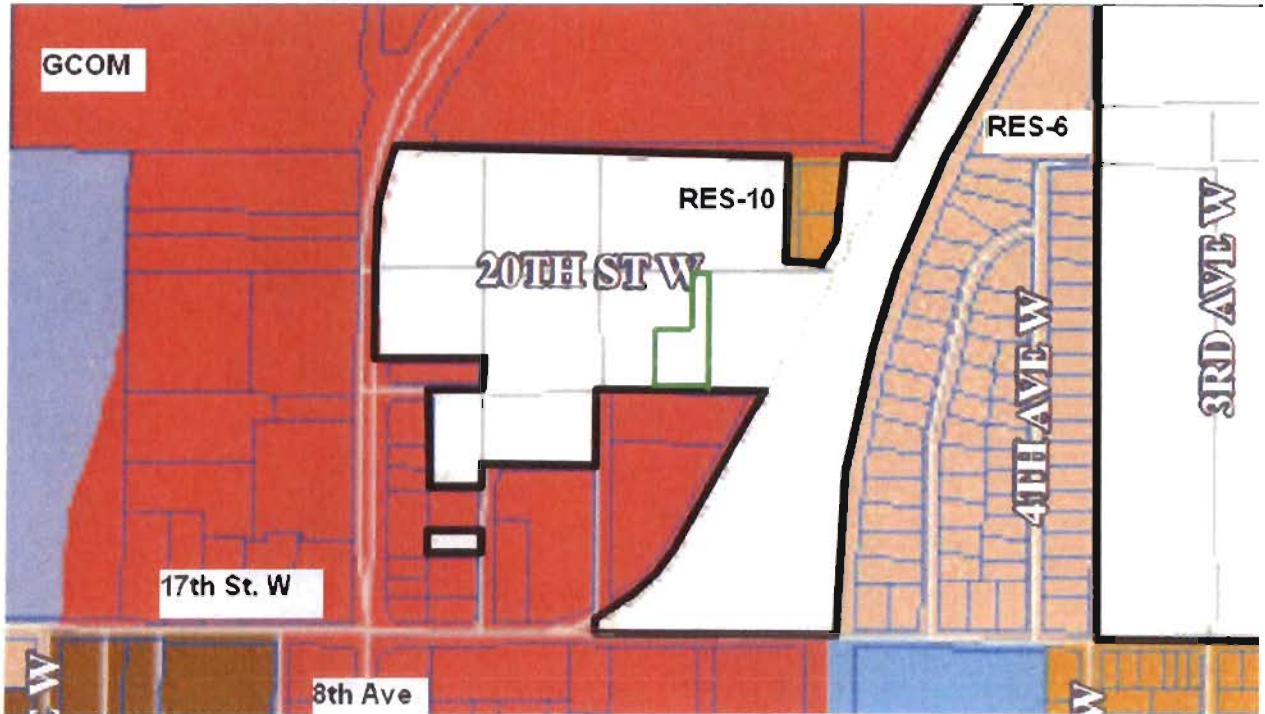
1. Annexation a 0.7 acre parcel located at the south side of 20th Street W. west of Bayshore Road into the City of Palmetto;
2. Small scale Plan amendment from County designation (RES-9) to City designation (RES-10);
3. Rezoning from GC in the County to RM-5 in the City;

AERIAL PHOTO
Annexation, Small Scale Plan Amendment and Rezoning
AN/PA 2012-02 & Z 2012-03
529 20th Street W: Art Rentals, LLC

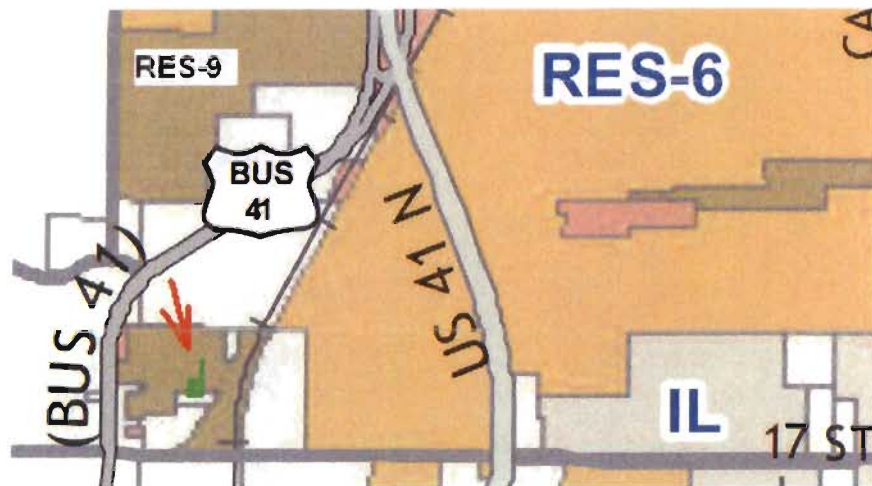


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FUTURE LAND USE PLAN MAP
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529 20th Street W: Art Rentals, LLC

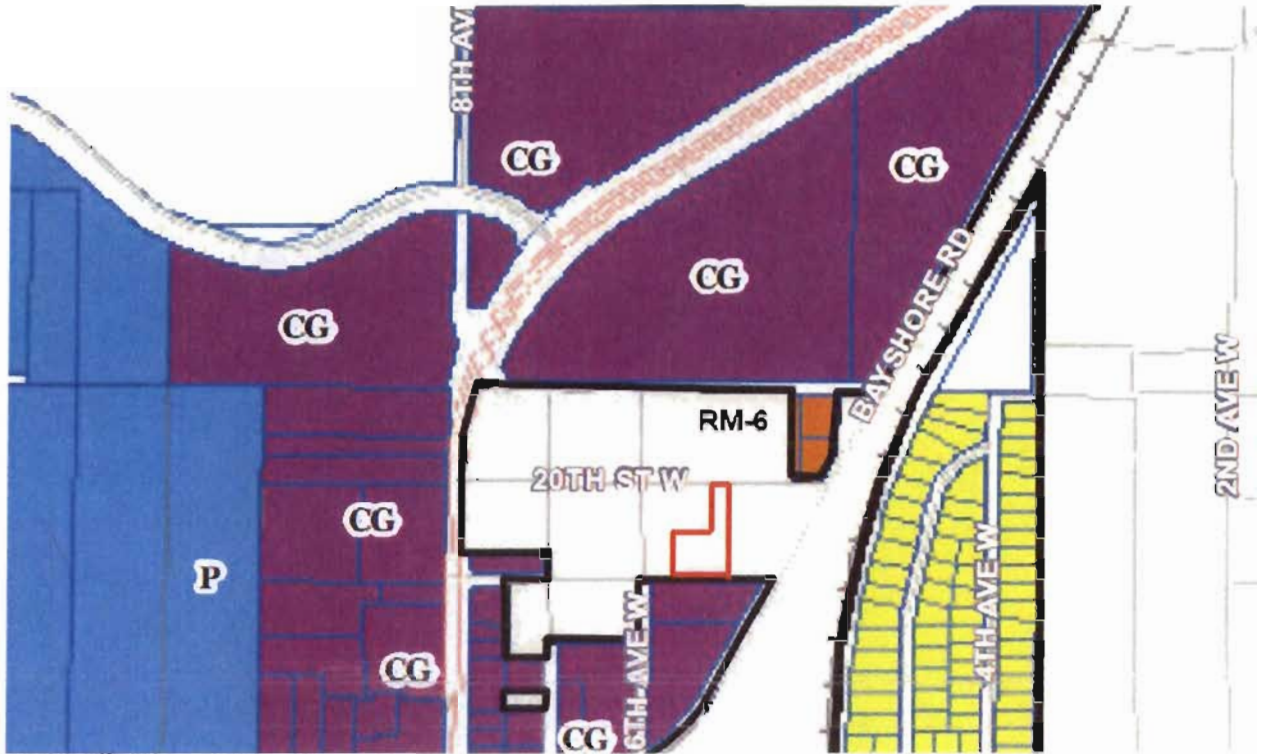


529 20th Street W = County RES-9
Small scale plan amendment from County RES-9 to City RES-10



County Plan Map

ZONING MAP
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529 20th Street W: Art Rentals, LLC



529 20th Street W = County GC
Rezoning from County GC to City RM-5

